

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

2006 JUL 13 P 4: 36

UNITED STATES OF AMERICA)

v.)

JAMES MICHAEL WEST,)
also known as JAMES WEST,)
also known as MIKE WEST,)
JOANNE BAKER WEST,)
RONALD SCOTT WEST,)
BERNADETTE TRENT WEST,)
PHILLIP A. APODACA, and)
MARK ANTHONY CORT)

U.S. DISTRICT COURT
EASTERN DIST. TENN.

NO. 3:06-CR-92-_____-DEPT. CLERK
JUDGES: Phillips/Guyton

PROTECTIVE ORDER

This matter having come before the Court upon the Motion of the United States of America for the entry of a protective order pursuant to Title 21, United States Code, Section 853(e)(1)(A), as incorporated by Title 18, United States Code, Section 982(b), and it appearing to the satisfaction of this Court:

1. That on July 11, 2006, a federal grand jury of this District returned a two count Indictment charging the above-named defendants with violations of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 1956(h), and alleging that the property named in this Order would, in the event of conviction, be subject to forfeiture pursuant to Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982.

Protective Order

United States v. James Michael West, et al.; Case No. 3:06-CR-92 (Phillips/Guyton) Page 1 of 5

2. That the United States has moved, ex parte, for a Protective Order pursuant to Title 21, United States Code, Section 853(e)(1)(A), as incorporated by Title 18, United States Code, Section 982(b), so as to preserve the status quo and prevent defendants, JAMES MICHAEL WEST, also known as JAMES M. WEST, also known as JAMES WEST, also known as MIKE WEST; JOANNE BAKER WEST; RONALD SCOTT WEST; BERNADETTE TRENT WEST; PHILLIP A. APODACA; and MARK ANTHONY CORT,” from alienating, encumbering, or wasting said forfeitable property; and

3. That based upon the Indictment and the Supporting Motion submitted by the United States, cause has been shown for the entry of a protective order to preserve the property named in Attachment A to this Order.

It is, therefore, the ORDER of this Court that this Protective Order issue as to the property described in Attachment A hereto, incorporated herein by this reference, to wit:

The defendants, JAMES MICHAEL WEST, also known as JAMES M. WEST, also known as JAMES WEST, also known as MIKE WEST; JOANNE BAKER WEST; RONALD SCOTT WEST; BERNADETTE TRENT WEST; PHILLIP A. APODACA; and MARK ANTHONY CORT,” their agents, servants, employees, attorneys, family members, those persons having any interest or control over the property described in Attachment A or any corporate entity claiming an ownership interest in the property described in Attachment A, and those in active concert or participation with these defendants, shall not, without approval of this Court upon notice to the United States and an opportunity for the United States to be heard:

- a) alienate, dissipate, transfer, sell, assign, lease, pledge, encumber, or dispose of, in any manner, directly or indirectly;
- b) cause to be alienated, dissipated, transferred, sold, assigned, leased, pledged, encumbered, or disposed of in any manner; or

Protective Order

- c) take, or cause to be taken, any action which could have the effect of concealing or moving from the jurisdiction of this Court, or that would have the effect of depreciating, damaging or in any way diminishing the value of any property named in Attachment A to this Order.

It is further ORDERED that if any of the property described in Attachment A has been or is transferred or disposed of by any means, the defendants, JAMES MICHAEL WEST, also known as JAMES M. WEST, also known as JAMES WEST, also known as MIKE WEST; JOANNE BAKER WEST; RONALD SCOTT WEST; BERNADETTE TRENT WEST; PHILLIP A. APODACA; and MARK ANTHONY CORT,” shall account to the Court for the disposition of the property.

It is further ORDERED that defendants, JAMES MICHAEL WEST, also known as JAMES M. WEST, also known as JAMES WEST, also known as MIKE WEST; JOANNE BAKER WEST; RONALD SCOTT WEST; BERNADETTE TRENT WEST; PHILLIP A. APODACA; and MARK ANTHONY CORT,” shall be served with a copy of this Order upon their arrests.

It is further ORDERED that the Clerk of this Court provide the United States Attorney’s Office with a certified copy of this Order to record in the county records where the identified real property is located as soon as practical.

This order shall remain in effect until further Order of the Court or until the Court modifies the Order as appears necessary in the interest of justice and consistent with the purposes of Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b).

Protective Order

ENTER:

A handwritten signature in black ink, appearing to read "Thomas W. Phillips", written over a horizontal line.

THOMAS W. PHILLIPS
UNITED STATES DISTRICT JUDGE

Submitted for Entry:

JAMES R. DEDRICK
United States Attorney

By: 
MICHAEL J. MITCHELL
Assistant United States Attorney

A handwritten signature in black ink, appearing to read "MJ Mitchell", written over a horizontal line.

Protective Order